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Joseph A. Marutollo
Deputy Chief, Civil Division
Chief, Immigration Litigation
United States Attorney's Office
Eastern District of New York
271-A Cadman Plaza East, 7th Floor
Brooklyn, New York 11201

RE: DHS Immigration Enforcement Subpoena No. ERO-ENF-NYC-202000005
(Romero Ramirez-Macias)

Dear Mr. Marutollo:

As indicated in New York City's letter to U.S. Immigration and Customs Enforcement Field Office Director Decker on January 31, 2020, we have grave concerns that the four subpoenas issued by ICE lack a legitimate purpose, and are instead a political stunt intended to exploit tragic circumstances and intimidate the City of New York into changing its laws and policies concerning the health and safety of New Yorkers and their trust in government. Our concerns have only grown stronger since similar tactics have been taken by the federal government against Connecticut¹, Denver, and San Diego².

While the City maintains these concerns, we have reviewed the unique circumstances in this matter, and will furnish responsive records and information in this matter that is within our possession and control.

¹ <https://www.ice.gov/news/releases/ice-issues-subpoenas-obtain-information-refused-under-connecticuts-sanctuary-policies>

² <https://www.ice.gov/news/releases/ice-subpoenas-information-requested-under-california-sanctuary-policies>

In the interest of working with the U.S. Attorney's Office to resolve this specific case, and without conceding any facts or legal arguments put forward in the Order to Show Cause, the City is producing documents totaling 2 pages including (1) the arraignment and classification risk (ACR) screening form for Romero Ramirez-Macias, and (2) the U.S. ICE facsimile cover sheet dated November 14, 2019. The City cannot verify the accuracy of all of the information provided on the ACR to the extent it is self-reported information. Non-responsive information has been redacted.

The documents contain the following responsive information:

- Home Address: *included on the ACR*
- Employment Address: *None provided*
- Country of Birth: *included on the ACR as "Nativity"*
- Place of Birth: *"Nativity" is the only available information*
- Age: *included on the ACR as DOB*
- Identification Documents (i.e. driver license number and state, foreign identification card number and country, passport number and country): *None provided*
- Bond Information to include the obligor name and address: *None, as he was ROR'd*
- Federal Bureau of Investigation Number: *included on the ICE fax cover sheet*
- Emergency Contact address and phone number: *included on the ACR (no street address or zip provided – city and state only; phone number was provided)*
- Copies of all identification documents: *None provided*

In response to the request for documents that show the criminal charge relating to Romero Ramirez-Macias where the arrest date was October 23, 2019, and the charge was Crim. Possession Controlled Substance-1st: Narcotic Drug 80ozs or More, under docket # CR-034068-19QN:

- Arrest Date: *included on the ACR*
- The Department of Correction is not in possession of any documents showing a charge of Crim. Possession Controlled Substance-1st: Narcotic Drug 80ozs or More, under docket #CR-030453-19QN. Explanation: Ramirez-Macias was arraigned under docket # CR-034068-19NY, not docket # CR-034068-19QN.

The enclosed production represents the entirety of responsive records and thus fully satisfies this matter.

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By:



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